

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

IN RE:  JOHN CHADWICK DOWELL  224 Farmhouse Road Roxboro, NC 27574 SSN: xxx-xx-3908  Debtor(s).	Case No. 10-80935 Chapter: 7
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**MOTION FOR RELIEF FROM AUTOMATIC STAY**

Comes now, Chrysler Financial Services Americas LLC f/k/a DaimlerChrysler Financial Services Americas LLC (“CFS”), by and through counsel, in support of its Motion for Relief from Automatic Stay would state and show unto the Court that:

1. On June 6, 2006, John Chadwick Dowell (“Debtor”) purchased a 2005 Jeep Grand Cherokee, VIN 1J4HR48N95C693361 (“Vehicle”), said transaction being financed by CFS. A copy of said Retail Installment is attached hereto and incorporated by reference.

2. To secure the amounts advanced by CFS, the Debtor granted to CFS a security interest in the Vehicle; CFS holds a validly perfected, first priority purchase-money security interest in the Vehicle, as noted on the Certificate of Title issued by the State of North Carolina. A copy of said Title is attached hereto and incorporated by reference.

3. The Debtor commenced this bankruptcy case on May 27, 2010 (“Petition Date”).

4. The Debtor is in arrears under the Contract in the amount of \$590.98 (representing the June 21, 2010 through July 21, 2010 past due payments of \$295.49 each). Counsel for CFS is not in receipt of proof of insurance despite written request for same.

5. On the Petition Date, the payoff amount due under the Contract was \$7,983.65.

6. Pursuant to 11 U.S.C. § 362(d)(1), sufficient cause exists, including lack of adequate protection, for termination of the automatic stay as to CFS the Vehicle and the proceeds thereof.

WHEREFORE, the above premises considered, CFS prays that:

1. CFS be granted immediate relief from the automatic stay provisions of 11 U.S.C. §362 in order that it may proceed immediately with the enforcement of its security interest in the Vehicle.
2. The provisions of Rule 4001 (a)(3) of the Federal Rules of Bankruptcy Procedure be waived.
3. CFS be granted such other and further relief to which it may be entitled.

Respectfully submitted,

/s/ Jacob C. Zweig

Jacob C. Zweig (NC Bar No.38641)

Attorney for CFS

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**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that on the below date, the undersigned served a copy of the Motion for Relief from the Automatic Stay by depositing the same, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their last known addresses as shown below, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

John T. Orcutt  
Debtors' Attorney  
6616-203 Six Forks Road  
Raleigh, NC 27615

Sara A. Conti  
Chapter 7 Trustee  
Box 939  
Carrboro, NC 27510

John Chadwick Dowell  
224 Farmhouse Road  
Roxboro, NC 27574

**THIS** the 11<sup>th</sup> day of August, 2010.

/s/Kimberly Ray

Kimberly Ray, Legal Asst. to  
Jacob C. Zweig (NC Bar No.38641)  
Attorney for CFS  
Hale, Dewey & Knight, PLLC  
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